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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

13	EOWYN, CTS. DE LA VEGA,)	Nos. C 07-5734 JL
14)	
14	Plaintiff,)	
15)	Related to : C 07-3619 WHA
15	v.)	C 07-0062 WHA
16	BUREAU OF DIPLOMATIC SECURITY,)	ADMINISTRATIVE MOTION TO
17	SAN FRANCISCO FIELD OFFICE, U.S.)	CONSIDER WHETHER CASES
17	DEPARTMENT OF STATE,)	SHOULD BE RELATED
18)	
18)	(Local Rule 3-12, Local Rule 7-11)
19	Defendant.)	

Pursuant to Local Rules 3-12 and 7-11, the federal defendant is specially appearing¹ to file this Administrative Motion for the Court to consider whether the new complaint in *De La Vega v. Office of the Presidency*, C 07-5734 JL is related to Plaintiff's earlier cases, *De la Vega v. Department of Public Health, et al.*, C 07-0062 WHA and *De la Vega v. Bureau of Diplomatic Security, et al.*, C07-3619 WHA.²

¹ Plaintiff has not complied with Rule 4, Fed. R. of Civ. Proc.

² This motion is not accompanied by a stipulation because plaintiff is appearing *pro se*, because she has continued to attempt to file cases against federal defendants in state court, and

1 This motion is based on this memorandum, the Declaration of Ila C. Deiss, and the
2 pleadings on file herein.

3 **A. Plaintiff's Prior Cases against the Federal Government**

4 *Pro se* plaintiff Eowyn, Cts. de la Vega's first Complaint alleged that the Department of
5 Public Health and the Drug Enforcement Administration have intimidated, harassed and sexually
6 abused her, placed her under surveillance and, "plundered" her social security number, public
7 health records and the birth certificates of her children resulting in her "atomic breakage." *See*
8 *Eowyn, Cts. De la Vega v. Department of Public Health, et al.*, C 07-0062 WHA.

9 Plaintiff's second Complaint was related to Plaintiff's first Complaint. In her second
10 Complaint she sought damages from the Bureau of Diplomatic Security, San Francisco Field
11 Office, U.S. State Department ("BDS"), alleging that defendant "is responsible for grave bodily,
12 emotional harm caused to me, by its failures to remedy (sp) Borden." *See De la Vega v. Bureau*
13 *of Diplomatic Security*, C 07-3619 WHA.

14 These actions were related and dismissed with prejudice upon motion by the Government.
15 *Eowyn v. Department of Public Health*, Slip Copy, 2007 WL 601978 (N.D.Cal. Feb. 22, 2007);
16 *De la Vega v. Bureau of Diplomatic Security*, Slip Copy, 2007 WL 2900496 (N.D.Cal., Oct. 1,
17 2007). *See* Declaration of Ila C. Deiss (Deiss Decl.), Exh. A.

18 **B. Plaintiff's Current Case**

19 On June 22, 2007 plaintiff filed another complaint in the Small Claims Division of the
20 San Francisco Superior Court. In this complaint she seeks \$500,000 in damages. The Complaint
21 is again against the "Bureau of Diplomatic Security" for "vicious violations of diplomatic
22 protocol practices against moi a.factos.since 1955" and is generally incomprehensible. *See* Deiss
23 Decl., Exh. B (November 13, 2007 Notice of Removal and Complaint).

24 **C. The cases should be related under L.R. 3-12.**

25 This is the third case in which plaintiff has attempted to sue a federal agency. The nature
26 of the allegations are substantially similar in that they are both are incomprehensible combination

27 _____
28 because the complaints and other documents are incomprehensible. *See* discussion below.

1 of words and symbols that do not set out any cogent set of facts or legal theory. The Court has
2 already reviewed the earlier actions and dismissed them without leave to amend. Because the
3 Court is familiar with the procedural posture and allegations of each of these cases, it appears
4 likely that there would be an unduly burdensome duplication of labor and expense if this case is
5 not related to the earlier case. The criteria of Local Rule 3-12 are satisfied and defendant
6 requests that this case be related to *De la Vega v. Department of Public Health, et al.*, C 07-0062
7 WHA and *De la Vega v. Bureau of Diplomatic Security, et al.*, C07-3619 WHA.³ The
8 Government intends to ask that a fourth Complaint, *De la Vega v. Office of the Presidency*, C 07-
9 5735 MMC, also removed on November 13, 2007 to this Court, be related. The Government
10 further intends to file motions to dismiss these actions.

11 Pursuant to Local Rule 3-12, the United States is lodging a copy of this Motion and the
12 Declaration of Ila C. Deiss with the chambers for the Honorable William Alsup.

13 Respectfully submitted,

14 SCOTT N. SCHOOLS
15 United States Attorney

16 DATED: November 20, 2007

By: /s/

17 ILA DEISS

18 Assistant United States Attorney
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28 ³This case is against the same Defendant Bureau of Diplomatic Security.

CERTIFICATE OF SERVICE

De La Vega v. Bureau of Diplomatic Security, et al.
C07-5734 JL Related to C07-3619 WHA & C07-0062 WHA

The undersigned hereby certifies that she is an employee of the Office of the United States Attorney for the Northern District of California and is a person of such age and discretion to be competent to serve papers. The undersigned further certifies that she is causing a copy of the following:

ADMINISTRATIVE MOTION TO CONSIDER WHETHER CASES SHOULD BE RELATED

to be served this date upon the party in this action by placing a true copy thereof in a sealed envelope, and served as follows:

- ☒ FIRST CLASS MAIL by placing such envelope(s) with postage thereon fully prepaid in the designated area for outgoing U.S. mail in accordance with this office's practice.
- ☐ CERTIFIED MAIL (#) by placing such envelope(s) with postage thereon fully prepaid in the designated area for outgoing U.S. mail in accordance with this office's practice.
- ☐ PERSONAL SERVICE (BY MESSENGER)
- ☐ FEDERAL EXPRESS via Priority Overnight
- ☐ EMAIL
- ☐ FACSIMILE (FAX)

to the party(ies) addressed as follows:

Eowyn Cts. de la Vega, Pro Se
480 Ellis Street #258
San Francisco, CA 94102
PH: 415.202.9800

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this November 20, 2007 at San Francisco, California.

/s/
LILY HO-VUONG
Legal Assistant